

16569

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	04-13137
First Inventor	PALACIO, Victor
Title	COLLAPSIBLE CRATE
Express Mail Label No.	EV 400333106 US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 10]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. Oath or Declaration [Total Sheets       ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**  
 Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

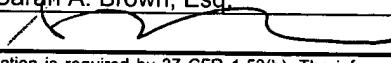
9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of (when there is an assignee)  Attorney
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: Certificate of Express Mail.....  
.....Ltr. to Examiner re. Correct Inventor.....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation       Divisional       Continuation-in-part (CIP)      of prior application No.: .....

Prior application information: Examiner \_\_\_\_\_ Art Unit: \_\_\_\_\_  
 For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number:	25189		OR <input checked="" type="checkbox"/> Correspondence address below		
Name	Daniel M. Cislo, Esq.				
Address	Cislo & Thomas LLP 233 Wilshire Boulevard, Suite 900				
City	Santa Monica	State	CA	Zip Code	90401-2015
Country	USA	Telephone	(310) 451-0647		Fax (310) 394-4477
Name (Print/Type)	Sarah A. Brown, Esq.		Registration No. (Attorney/Agent)	47,455	
Signature			Date	2/19/04	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 385.00)

## Complete if Known

Application Number	Filed herewith
Filing Date	Filed herewith
First Named Inventor	PALACIO, Victor
Examiner Name	Not yet known
Art Unit	Not yet known
Attorney Docket No.	04-13137

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number	03-2030
Deposit Account Name	Cislo & Thomas LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)		385.00	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
5	-20** =	x 9.00 =	0.00
2	- 3** =	x 43.00 =	0.00
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

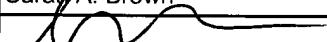
Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Sarah A. Brown	Registration No. (Attorney/Agent)	47,455	Telephone	310-451-0647
Signature				Date	2/19/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of inventor(s):

**PALACIO, Victor**

Serial Number: Filed herewith

Examiner: Not yet known

Filed: Filed herewith

Art Unit: Not yet known

For: **COLLAPSIBLE CRATE**

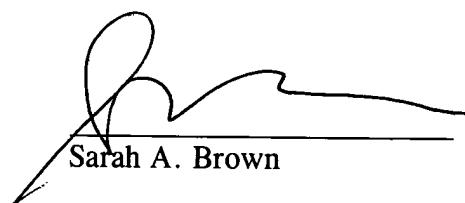
MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### **LETTER TO EXAMINER REGARDING CORRECTION OF INVENTORSHIP**

Dear Sir or Madam:

Please note that Applicant intends to file a request under 37 CFR §1.48(d) and/or 37 CFR §1.48(e) to correct the inventorship of the instant application. Correction of inventorship will also be corrected via Applicant's executed oath/declaration under §1.63, which will be filed with the Patent Office in due course.

Respectfully submitted,



Sarah A. Brown

Date: February 19, 2004

## **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of inventor(s):

**PALACIO, Victor**

Serial Number: Filed herewith

Examiner: Not yet known

Filed: Filed herewith

Art Unit: Not yet known

For: **COLLAPSIBLE CRATE**

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### **NONPUBLICATION REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i) and 37 C.F.R. § 1.213(a)**

Dear Sir or Madam:

Under 37 C.F.R. § 1.213(a), Applicant respectfully requests that the application captioned above and identified by Attorney Docket No. 04-13137, and filed herewith not be published pursuant to 35 U.S.C. § 122(b) and/or 37 C.F.R. § 1.211.

Applicant certifies that the invention(s) disclosed in the said application has not been and will not be subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Respectfully submitted,

Date: February 19, 2004

Sarah A. Brown

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re the application of:  
**PALACIO, Victor**

Serial Number: Filed herewith

Filed: Filed herewith

For: **COLLAPSIBLE CRATE**

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Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450  
MAIL STOP PATENT APPLICATION

EV400333106US)

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

Express Mailing Label No. EV 400333106 US  
Deposited: February 19, 2004

Dear [Sir/Madam]:

Enclosed herewith are the following:

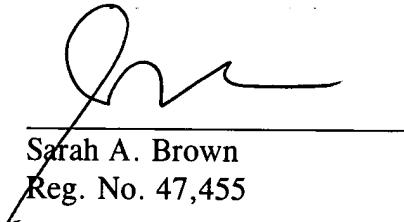
1. Patent Application Transmittal Letter (1 page) and Fee Transmittal noting small entity status (1 page, original and one copy);
2. Check No. 26829 in the amount of \$385.00 for filing fees;
3. Patent Application (eight specification pages, one page of claims, 1-page abstract, and five drawing pages, for a total of 15 pages);
4. Non-publication Request Under 37 C.F.R. § 1.213(a) (1 page);
5. Letter to Examiner Regarding Correction of Inventorship (1 page); and
6. Acknowledgement Postcard.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R., Section 1.10, on the date indicated above and is addressed to:

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

Respectfully submitted,

CISLO & THOMAS LLP



Sarah A. Brown  
Reg. No. 47,455

Date: February 19, 2004

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SAB/sd

Enclosures

As listed above

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